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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

FEB 13 2001

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Numbering Resource Optimization) CC Docket No. 99-200

To: The Commission

PETITION FOR WAIVER OF SECTION 52.15(f)(6) REPORTING DEADLINE

Priority Communications, Inc. ("PCI"), by its attorney and pursuant to Section 1.3 of the Commission's rules, respectfully requests a waiver of the February 2001 numbering resource utilization and forecasting ("NRUF") deadline set forth in under Rule Section 52.15(f)(6). Due to myriad problems described below, PCI was unable to meet this deadline, notwithstanding its diligent efforts. PCI ultimately filed its Form 502 on February 12, 2001.

In support hereof, the following is respectfully shown:

PCI is a paging licensee presently providing paging service in parts of Florida. Contrary to today's trend toward consolidation of paging companies into large, publicly-traded corporate entities, PCI is a closely-held corporation owned and controlled by a single individual. PCI qualifies as a "small business entity" as that term is used in Rule Section 22.223(b).

The NRUF requirements were among the measures adopted to increase number use efficiency by Report and Order and Further Notice of Proposed Rule Making, "Numbering Resources Optimization", CC Docket No. 99-200, 15 FCC Rcd 7574 (2000) ("1st R&O"). Among other things, the 1st R&O substituted "thousands-number pooling" in place of traditional 10,000-number block allocations for most carriers. However, *the*

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Commission expressly exempted paging carriers, such as PCI, from the thousands-block number pooling requirement, as paging carriers are not presently capable of routing traffic using thousands-block numbering. See 1st R&O at paras. 134, 138, 139 and 176.

Form 502 is the form on which carriers are required to report NRUF data. Section 52.15(f) requires carriers to file Form 502 electronically with NANPA, the administrator, on February 1 and August 1 annually. *Paradoxically, Section 52.15(f) and Form 502 require paging carriers to report number usage in thousand-block numbers, notwithstanding the blanket exemption of paging carriers from thousands-block number pooling.* A request for a blanket exemption for paging carriers from the Form 502 reporting requirement is pending before the Commission.¹

PCI intended to file its Form 502 on February 1, 2001. Unfortunately, PCI encountered myriad difficulties in attempting to complete the report.

At the outset, because PCI's customer records are not presently structured to reflect use in the five Form 502 reporting categories (assigned, intermediate, reserved, aging and administrative) PCI was first obliged to manually reclassify its entire inventory of numbers *on a number-by-number basis*. PCI needed to reclassify thousands of numbers. This proved to be extremely cumbersome and time consuming.

Because Form 502 requires paging carriers to report number usage in thousands-number blocks -- *even though paging carriers are exempt from thousands-block pooling* - PCI needed to manually divide its number use information into thousands-number blocks. Number usage patterns on PCI's system do not readily convert to a thousands-

¹ "Joint Petition For Reconsideration," CC Docket No. 99-200, filed jointly by Autopage, Inc. and Radio Paging Services on July 17, 2000.

numbers structure. Rather, on PCI's system, whenever a new number is needed -- whether for one of PCI's own end users, or for one of PCI's resellers or retailers, or for some other purpose -- the next available number is used. As a result, similar Section 52.15(f) usage classifications are not necessarily applicable to consecutive numbers. Consequently, in most cases, PCI had to laboriously enter data for each individual number or for small series of numbers. Even worse, NANPA's balky Form 502 spreadsheet sometimes would not allow PCI to enter complete information into a field.

PCI also encountered difficulties in obtaining information about certain "intermediate" numbers. A large percentage of PCI's customers are retailers and resellers. Rule Section 52.15(f)(v) requires numbers made available to retailers and resellers to be classified as "intermediate." However, the 1st R&O appears to require intermediate numbers made available to retailers to be reclassified as "assigned" when the retailer assigns the number to an end user² -- but retailers are not subject to any legal obligation to report that information to the underlying carriers. As a practical matter, retailers do not willingly disclose the disposition of a number to the underlying carriers when requesting activation of a number.

PCI finally overcame these obstacles and electronically submitted its Form 502 on February 12, 2001. Attached hereto is statement by Paul Goodell of PCI detailing his travails in the process.

Pursuant to Section 1.3 of the Rules, the Commission may waive any of its rules upon a showing of good cause. PCI respectfully submits that good cause exists in this instance. PCI intended to file its Form 502 by the February 1 deadline and worked

² 1st R&O at para. 21.


diligently toward making a timely filing, but experienced problems in trying recategorize thousands of numbers in accordance with the NRUF categories, and in attempting to put the report into the format required by the rules and the Form 502 spreadsheet.

The public interest is better served under the circumstances. The additional time was necessary for PCI to provide a more accurate and complete report. PCI ultimately submitted the February report only six business days beyond the deadline.

WHEREFORE, the premises considered, it is respectfully requested that the requested waiver of the Section 52.15(f) deadline be granted.

Respectfully submitted,

PRIORITY COMMUNICATIONS, INC.

By 
Ellen Mandell Edmundson
Its Attorney

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February 13, 2001

DECLARATION

I, Paul Goodell, do hereby declare and state:

1. I am employed by Priority Communications, Inc. ("PCI"), a paging licensee based in Boca Raton, FL, as Director of Technical Operations. Among other things, I am responsible for ensuring that PCI has adequate telephone number resources for its customers.

2. I began work on the Form 502 due February 1, 2001 on January 25, 2001. I worked on the report essentially full-time, even on weekends. PCI's general manager also devoted significant time to preparing the report.

3. The Form 502 on NANPA's website is an Excel spreadsheet, which I found very difficult to work with. I experienced difficulties opening, viewing, navigating, entering information into, and printing the form.

4. Form 502 requires number use to be reported in five categories (assigned, intermediate, reserved, aging and administrative). PCI does not keep its customer records in these categories. PCI's general manager and I went through each of PCI's customer records to manually reclassify our entire inventory of numbers. We needed to reclassify thousands of numbers.

5. Form 502 requires paging carriers to report number usage in thousands-number blocks. PCI does not keep its records in thousand number blocks, so I also needed to manually divide our numbers into thousands-number blocks.

6. Resellers are required to be reported as "intermediate." Because PCI has numerous resellers, and our procedure is that whoever needs a number takes the next number available, there can be 1,000 different number uses in a single thousands-number block. I found that the NANPA excel spreadsheet did not afford enough room in the appropriate fields to report all these various number uses within a thousands-number block.

7. Another problem is that when retailers ask for numbers on our system, they simply ask to have a unit activated. They do not voluntarily tell us whether the activated number is being assigned to an end user, or for the retailer's administrative purposes, or for some other purpose.

8. It was not until February 12, 2001 that I felt the report was ready to submit. I tried to submit the form to the address in the instructions (cocus@neustar.com) but it took me three tries until the form was successfully submitted. I have not been able to print the report, as only partial pages will print. I have asked NANPA to provide us with a written confirmation that the report was received, but I have not yet received NANPA's confirmation.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

A handwritten signature in cursive script, appearing to read "Paul Goodell", written over a horizontal line.

Paul Goodell

Dated: 2-13-01

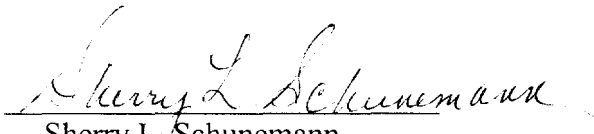
Certificate of Service

I, Sherry L. Schunemann, a secretary in the law office of Smithwick & Belendiuk, P.C., do hereby certify that a copy of the foregoing "Petition for Wavier of Section 52.15(f)(6) Reporting Deadline" was hand delivered this 13th day of February, 2001 to the following:

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Sherry L. Schunemann